

Message

From: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Sent: 9/12/2018 1:05:38 PM
To: Palmer, Leif [Palmer.Leif@epa.gov]
CC: Mancusi-Ungaro, Philip [Mancusi-Ungaro.Philip@epa.gov]; Wade, Alexis [Wade.Alexis@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]
Subject: Re: Corps/FDEP MOA

Thanks Phil and I spoke last night and I think everyone is on track for providing language

Sent from my iPhone

Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
202-564-5488

On Sep 11, 2018, at 11:43 PM, Palmer, Leif <Palmer.Leif@epa.gov> wrote:

Phil and I spoke around 6 pm tonight and I told him that the RA and Noah were expecting us to provide the language to DEP. He said he will do that in the morning and let me know if there is any immediate feedback. I'll make sure you are kept informed.

Sent from my iPhone

On Sep 11, 2018, at 9:42 PM, Neugeboren, Steven <Neugeboren.Steven@epa.gov> wrote:

I'm confused as to where we are on this. I thought the language looked fine and I think and Dave are expecting this. I have a weekly with david in the morning at 930 and would like to give him the status. Do you know up to what level the state is opposed to this language so I can represent that to David?

Ps. I thought that language was fine.

Thanks.

Steve Neugeboren
Associate General Counsel for Water
U.S. EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
202 (564-5488)

From: Mancusi-Ungaro, Philip
Sent: Tuesday, September 11, 2018 5:04 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>
Subject: Re: Corps/FDEP MOA

I know we sent you some language this morning to look at. We just had our biweekly with the state and after the call I was reminded that we did have similar language in our MOA not related to the off ramp process. The state had asked us to take it out since they did not want to take on that roll.

Phil

Sent from my iPhone

On Sep 10, 2018, at 6:55 PM, Neugeboren, Steven <Neugeboren.Steven@epa.gov> wrote:

Ex. 5 AC/DP

Steve Neugeboren
Associate General Counsel for Water
U.S. EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
202 (564-5488)

From: Fotouhi, David
Sent: Monday, September 10, 2018 5:38 PM
To: Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>;
Wehling, Carrie <Wehling.Carrie@epa.gov>
Cc: Kupchan, Simma <Kupchan.Simma@epa.gov>; Neugeboren, Steven
<Neugeboren.Steven@epa.gov>; Wade, Alexis
<Wade.Alexis@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: Corps/FDEP MOA

Ex. 5 AC/DP

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Mancusi-Ungaro, Philip
Sent: Monday, September 10, 2018 3:24 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Cc: Kupchan, Simma <Kupchan.Simma@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>
Subject: RE: Corps/FDEP MOA

David,

Ex. 5 AC/DP

Ex. 5 AC/DP

Is this something we need to wrok on?

Phil

Philip G. Mancusi-Ungaro
Attorney-Adviser
Office of Water Legal Support
USEPA Region 4
61 Forsyth St, SW
Atlanta, GA 30303
Tel: 404-562-9519
Cel: Ex. 6 Personal Privacy (PP)

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From: Fotouhi, David
Sent: Monday, September 10, 2018 3:04 PM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>
Cc: Kupchan, Simma <Kupchan.Simma@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>
Subject: Re: Corps/FDEP MOA

Thanks,

Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Is this something that we are working on?

Sent from my iPhone

On Sep 10, 2018, at 3:02 PM, Wehling, Carrie
<Wehling.Carrie@epa.gov> wrote:

Copying Phil who can add or correct my understanding. As far as we know, the Corps and State are still negotiating over a few issues, including permit modifications and the list of retained waters. We aren't aware of any specific timeframe for completing....

Carrie

Caroline (Carrie) Wehling
Assistant General Counsel
Water Law Office
U.S. Environmental Protection Agency
Washington DC 20004
202-564-5492
wehling.carrie@epa.gov

From: Fotouhi, David
Sent: Monday, September 10, 2018 1:57 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>
Cc: Neugeboren, Steven
<Neugeboren.Steven@epa.gov>; Wade, Alexis
<Wade.Alexis@epa.gov>; Wehling, Carrie
<Wehling.Carrie@epa.gov>
Subject: Re: ESA language for EPA-FDEP MOA

Thanks! What's the ETA on the suggested revisions to the corps-Florida MOA?

Sent from my iPhone

On Sep 7, 2018, at 4:45 PM, Kupchan, Simma
<Kupchan.Simma@epa.gov> wrote:

David,

We have all reviewed the revisions and are comfortable with the revised draft of the MOA. Thank you for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
202-564-3105
WJC North #7426Q

From: Neugeboren, Steven
Sent: Thursday, September 06, 2018
10:59 PM

To: Wade, Alexis
<Wade.Alexis@epa.gov>; Fotouhi,
David <Fotouhi.David@epa.gov>;
Wehling, Carrie
<Wehling.Carrie@epa.gov>; Kupchan,
Simma <Kupchan.Simma@epa.gov>
Subject: Fwd: ESA language for EPA-
FDEP MOA

We got the language below in today
and David perhaps you received
separately. We will take a look.

Sent from my iPhone

Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
202-564-5488

Begin forwarded message:

From: "Ghosh, Mita"
<Ghosh.Mita@epa.gov
>
Date: September 6,
2018 at 9:43:25 PM EDT
To: "Kupchan, Simma"
<Kupchan.Simma@epa.
gov>, "Neugeboren,
Steven"
<Neugeboren.Steven@
epa.gov>
Cc: "Palmer, Leif"
<Palmer.Leif@epa.gov>
Subject: FW: ESA
language for EPA-FDEP
MOA

Simma and Steve:

Attached is the ESA
language for our Florida
assumption MOA (EPA-
FDEP) incorporating Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

I believe David Fotouhi is going to reach out to you to make sure that you are okay with the language. Thanks

Mita

Mita Ghosh
Chief, Office of Water
Legal Support
Office of Regional
Counsel
United States
Environmental
Protection
Region 4
404-562-9568

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